UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,142	05/14/2001	Adrian David Lincoln	211202	1124

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EXAMINER
CHOUDHURY, AZIZUL Q

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/855,142	LINCOLN, ADRIAN
	Examiner	Art Unit
	Azizul Choudhury	2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 October 2004</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2 and 6-9</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1,2 and 6-9</u> is/are rejected.
7)☒ Claim(s) <u>2</u> is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>14 May 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☒ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>6/30/02</u>.
4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Detailed Action

This office action is in response to the correspondence received on October 29, 2004.

Claim Objections

Claim 2 is objected to because of the following informalities: the term "package"

should be "packet" to be consistent with claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by

Hart (US Pat No: US005862344A).

1. With regards to claim 1, Hart teaches a data packet for holding an information

   request and corresponding response data together, the data packet comprising:

   a plurality of layers, the layers including a routing layer and a client request layer

   respectively containing routing information and the information request, the data

   packet being transmittable over a distributed network including a plurality of

   processing nodes, wherein the data packet is interpreted by a first of said

   processing nodes and is expanded to include a further layer containing routing

information relating to a next stage in processing of the data packet to be

performed at a second of said processing nodes whilst leaving said plurality of

the layers intact and undisturbed (Hart discloses a design for routing data

packets (column 3, lines 21-29, Hart). In addition, Hart's design allows for data

packets to have additional data added to it (column 7, lines 11-24, Hart). This is

equivalent to the claimed expanded to include a further layer).

2. With regards to claim 2, Hart teaches a packet, wherein the layers further include

at least one layer selected from a group containing client device information, user

identification information, and application identification information (Hart's design

allows for data packet to have addition data added to it (column 7, lines 11-24,

Hart). A regular data packet inherently possesses the claimed client device

information and user identification information).

3. With regards to claim 6, Hart teaches a method of responding to an information

request from a client device, the method including the steps of wrapping the

information request in at least one layer to produce a request packet, transmitting

the request packet over a distributed network comprising first and second

processing nodes, and generating a response packet for transmission back to

the client device via the distributed network for responding to the information

request, wherein the first processing node performs analysis of the information

request stored on the request packet and adds a layer to the request packet

containing routing information relating to a next stage in processing of the

request packet to be performed by the second processing node, the second

processing node processing the request packet whilst leaving the at least one

layer of the request packet intact and undisturbed, and wherein the step of

generating the response packet generates the response packet to includes said

information request (Hart discloses a design for routing data packets (column 3,

lines 21-29, Hart). In addition, Hart's design allows for data packets to have

additional data added to it (column 7, lines 11-24, Hart). Furthermore, the

claimed means of processing the request within the packet and sending

response data in packet form is also inherent in data networks such as Hart's.

Hart specifically states that the network consists of nodes that are able to be

processing systems (column 3, lines 21-29, Hart)).

4. With regards to claim 7, Hart teaches a distributed network including: a data

packet for holding an information request and corresponding response data

together, said data packet comprising a plurality of layers, the layers including a

routing layer and a client request layer respectively containing routing information

and the information request, a plurality of processing nodes each configured to

interpret at least a respective one of the layers of said data packet and to add

and/or remove layers before passing the data packet to another one of the

nodes, the data packet being adapted to be transmitted over the distributed

network, the data packet being interpreted by a first of said processing nodes of

said network and expanded to include a further layer containing routing

information relating to a next stage in the processing of the data packet to be

performed at a second of the processing nodes of said network whilst leaving the

plurality of layers of he data packet intact and undisturbed (Hart discloses a

design for routing data packets (column 3, lines 21-29, Hart). In addition, Hart's

design allows for data packets to have additional data added to it (column 7, lines

11-24, Hart). Plus, the disclosure teaches how stripping of the added data is also

possible. This is equivalent to the claimed removing layers. Furthermore, the

claimed means of processing the request within the packet and sending

response data in packet form is also inherent in data networks such as Hart's.

Hart specifically states that the network consists of nodes that are able to be

processing systems (column 3, lines 21-29, Hart)).

5. With regards to claim 8, Hart teaches a network wherein the layers of the data

packet further include at least one layer selected from a group containing client

device information, user identification information, and application identification

information (Hart's design allows for data packet to have addition data added to it

(column 7, lines 11-24, Hart). A regular data packet inherently possesses the

claimed client device information, user identification information and application

identification information).

6. With regards to claim 9, Hart teaches a system for responding to an information

request from a client device, the system including: wrapping means configured

to wrap the information request in at least one layer to produce a request packet;

first and second processing nodes; transmitting means configured to transmit the

request packet over a distributed network comprising each of said processing

nodes; and means configured to generate a response packet for transmission

back to the client device via the distributed network for responding to the

information request; wherein the first processing node performs analysis of the

information request stored on the request packet and includes means configured

to add a further layer to the request packet containing routing information relating

to a next stage in processing of the request packet to be performed at the second

processing node, the second processing node processing the request packet

whilst leaving said at least one layer of the request packet intact and undisturbed,

and wherein the means configured to generate the response packet generates

the response packet to include said information request (Hart discloses a design

for routing data packets (column 3, lines 21-29, Hart). In addition, Hart's design

allows for data packets to have additional data added to it (column 7, lines 11-24,

Hart). Furthermore, the claimed means of processing the request within the

packet and sending response data in packet form is also inherent in data

networks such as Hart's. Hart specifically states that the network consists of

nodes that are able to be processing systems (column 3, lines 21-29, Hart)).

Response to Remarks

The amendment received on October 29, 2004 has been carefully reviewed but is not deemed fully persuasive. However, after reviewing the remarks explaining that an improper rejection was provided in the first office action, a new search and new office action has been compiled for the amended claims.

The examiner has reviewed the amended claims, drawings and specifications. Based on the review, the examiner believes that the claimed invention is for a method for appending data (such as routing data) to data packets. The Hart prior art provided demonstrates that such means have been present in the art. Should the examiner have missed any novel details within the application, it is recommended that the applicant and their representatives amend the claims to reflect such traits.
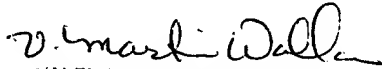
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (571) 272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AC

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